

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Edward Leon Muldrow)

Plaintiff,)

v.)

Civil Action No.: 4:12-cv-2435-RBH

S.C. Dep't of Probation, Parole and)

Pardon Services; Florence County)

Dep't of Probation, Parole and)

Pardon Services; Agent Kelly)

Bogan; Kelly Bogan's Superiors;)

Florence County Solicitor's Office;)

and David Allen Collins,)

ORDER

Defendants.)

Plaintiff Edward Leon Muldrow ("Plaintiff") filed this action *pro se*, alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983 and various state law claims. On August 28, 2013, Defendants Agent Kelly Bogan and David Allen Collins ("Defendants"), the only remaining Defendants in this action,¹ filed a Motion for Summary Judgment. Mot. for Summ. J., ECF No. 53. The matter is before the Court for review of the Report and Recommendation ("R & R") of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina. *See* R & R, ECF No. 63. In the Report and Recommendation, the Magistrate Judge recommends that the Court grant Defendants' motion for summary judgment as to Plaintiff's § 1983 claims, and decline to retain jurisdiction over the state law claims. *See id.* at 6.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this

¹ The Court issued an Order on June 12, 2013 dismissing Defendants S.C. Dep't of Probation, Parole and Pardon Services; Florence County Dep't of Probation, Parole, and Pardon Services; Kelly Bogan's Superiors; and Florence County Solicitor's Office *without prejudice*. *See* Order Adopting R & R, ECF No. 47 at 2.

Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Neither party has filed objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendations. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the record in this case, the Court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is **ORDERED** that Defendants’ motion for summary judgment is **GRANTED** as to Plaintiff’s § 1983 claims. Any remaining state law claims are **DISMISSED** *without prejudice*. Plaintiff’s complaint is, therefore, **DISMISSED**.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
February 26, 2014